

REMARKS

Claims 1-37 are pending in the application. Claims 1-33 have been rejected. Claims 1, 7, 11, 18-19, 23, 28, and 30 have been amended. Claims 10, 17, and 29 have been cancelled.

Appreciation is expressed for the allowance of claims 34-37.

Rejection of Claims under 35 U.S.C. § 112

Claims 1-11 and 23-33 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 23, 28, and 30 have been amended to address the 35 U.S.C. § 112, second paragraph rejections. The amendment to claim 23 also addresses the 35 U.S.C. § 112, second paragraph rejection to claim 31. These claim amendments, supported by the specification, are intended to clarify the claim language and are not intended to limit the scope of the claims.

Regarding the rejection to claim 11, applicants believe that the April 1, 2002 Office Action (the "Office Action") intended to reference claims 1-10, rather than claims 1-11 (since the Office Action does not include reasons supporting the 35 U.S.C. § 112, second paragraph rejection to claim 11, and since claims 2-10, which depend from claim 1, were rejected, while claims 12-22 which depend from claim 11 were not). If the rejection to claim 11 under 35 U.S.C. § 112, second paragraph was in error, applicants respectfully request this rejection be withdrawn. However, if in fact the Office Action did intend to reject claim 11 under 35 U.S.C. § 112, second paragraph, the applicants respectfully traverse this rejection. Claim 11 recites in clear terms, a method of managing cable. Accordingly, applicants respectfully submit that claim 11 is definite.

Rejection of Claims under 35 U.S.C. § 102/103

Claims 1, 4, 5, 10, 11, 14, 15, 20-23, 26, and 29-33 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Cole, U.S. Patent No. 5,604,961. Claims 1, 4-11, 14-23, 26-28, and 31-33 stand rejected under 35 U.S.C. § 102 as being anticipated by Ericksen et al. U.S. Patent No. 5,232,063 ("Ericksen"). Applicants respectfully traverse these rejections.

Claim 1 has been amended to recite an apparatus comprising:

a cable fastener *comprising a single type of fastener* of the one of the plurality of hook and loop mechanisms, *wherein the single type of fastener is configured to engage the first fastener type, wherein the cable fastener is separate from the substrate;*

Support for these amendments can be found on at least pages 7-8 of the specification and in Figure 5. Although Cole shows a multiple purpose fastening device, Cole fails to show that the fastening device is separate from the substrate, as recited in claim 1. In fact, the element (50) of Cole to which the April 1, 2002 Office Action (the "Office Action") equates to applicant's substrate is actually part of the fastening device itself (Cole, Fig. 4 and col. 5, lines 49-54).

With regard to Ericksen the cable fastener of Ericksen includes *both* a hook connector surface 33 *and* a loop connector surface 37 (Ericksen, col. 4, lines 35-44). Each strap connector 30 is attached to an object by, *inter alia*, pressing loop connector surface 37 into hook connector surface 33 (Ericksen, col. 5, lines 5-10). However, Ericksen fails to teach a cable fastener *comprising a single type of fastener* of the one of the plurality of hook and loop mechanisms, *wherein the single type of fastener is configured to engage the first fastener type*, as recited in amended claim 1. Having a cable fastener comprising a single type of fastener of the one of the plurality of hook and loop mechanisms aids in cable installation, because, for example, the cable fastener does not engage itself.

With regard to the rejection to claims 11 and 23 as being anticipated by Ericksen, Ericksen fails to disclose an apparatus including: ...

a rigid frame capable of accommodating a plurality of fiber cables
(emphasis added)

as required by amended claim 11 and generally by amended claim 23. The Office Action equates Ericksen's vertical surface 10 to applicants rigid frame (Office Action, page 3, paragraph 3). However, the vertical surface 10 of Ericksen is a surface which surrounds a shower or bathtub (Ericksen, col. 3, lines, 5-6). In contrast, claims 11 and 23 have been amended to clarify that applicant's rigid frame is capable of accommodating a plurality of fiber cables, which is clearly not shown in Ericksen. As stated in the specification, applicant's frame is "configured to support and manage a relatively large number of fiber optic cables to provide a dense cable system." (Specification, page 7, lines 1-3). Accordingly, since Ericksen fails to teach such a rigid frame, applicants respectfully submit that amended claims 11 and 23 are allowable over Ericksen.

Accordingly, applicants respectfully submit that claims 1, 11, and 23 are allowable over Ericksen and Cole, either Cole alone or Cole in view of Kobe. Claims 2-9 depend from claim 1 and are allowable for at least this reason. Claims 12-16 and 18-22 depend from claim 11 and are allowable for at least this reason. Claims 24-28 and 30-33 depend from claim 23 and are allowable for at least this reason.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231, on July 1, 2002.



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7/1/02

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ATTACHMENT B

The following is a "Marked Up" version showing the changes that the accompanying submission makes to the Claims of Serial No. 09/812,247.

In the Claims

1. (Amended) An apparatus comprising:
a substrate having a first surface, wherein the first surface of the substrate contains
a first plurality of fasteners of one of a plurality of hook and loop
mechanisms and each of the first plurality of fasteners including one of
a first fastener type;[and]
a cable fastener comprising a single type of fastener of the one of the plurality
of hook and loop mechanisms, wherein the single type of fastener is
configured to engage the first fastener type, wherein the cable fastener
is separate from the substrate; and[capable of being releasably engaged
to the substrate by means of a hook and loop connection]
wherein the cable fastener is further shaped to define:
a variable-width opening,
an elongated body having a predetermined width,
a head portion at one end of the body, the head portion having a width
greater than the predetermined width,
the head defining an opening through which the head of the cable
fastener may be pulled.
[wherein the tie wrap contains another of the plurality of hook and loop
mechanisms; and
wherein the cable fastener is shaped to be capable of defining a variable-width
opening.]

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7. (Amended) The apparatus recited in Claim 1, further comprising:
a rigid frame.

Claim 10 has been cancelled.

11. (Amended) A method of managing cable, comprising:
supporting one or more cables with a cable fastener, the cable fastener being shaped
to be capable of defining a variable-width opening, wherein the cable
fastener contains one of a plurality of hook and loop mechanisms;**[and]**
releasably engaging the cable fastener to a substrate, wherein the substrate contains
another of the plurality of hook and loop mechanisms**[.];and**
providing a rigid frame capable of accommodating a plurality of fiber cables;

Claim 17 has been cancelled.

18. (Amended) The method recited in Claim [17] **11**, wherein the frame
includes at least one planar surface.

19. (Amended) The method recited in Claim [17] **11**, further comprising:
coupling a second surface of the substrate to the frame, wherein the second surface
is substantially opposite the first surface of the substrate.

23. (Amended) An apparatus comprising:
a means for supporting one or more cables, wherein the **means for supporting one
or more cables includes a** cable fastener means **[further comprises a
means for releasable engagement]; [and]**
a means for releasably engaging the cable fastener means**[.];and**
**a frame means for supporting one or more fiber cables configured to receive
the cable fastener means.**

28. (Amended) The apparatus recited in Claim 23, **further comprising:**
a substrate means [wherein the substrate is planar].

Claim 29 has been cancelled.

30. (Amended) The apparatus recited in Claim [29] 23, for which comprising:

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a substrate means; and

a means for coupling the substrate means to the frame means.